

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**LUIS A. ACEVEDO GARCIA, ET ALS.**

**Plaintiffs**

**vs.**

**HON. ROBERTO VERA-MONROIG,  
ET ALS.**

**Defendants**

**Civil No.: 97-2639(JP)**

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**MOTION REQUESTING THAT DEFENDANT  
BE FOUND IN CONTEMPT**

**TO THE HONORABLE COURT:**

**COMES NOW** plaintiffs, through the undersigned attorney, who very respectfully states and prays as follows:

On August 29, 2008 this Honorable Court issued an Order directed to defendants (dkt. 576). Specifically this order states as follows:

- “(1) On or before September 15, 2008, Defendants SHALL deposit the amount of \$620,000.00 with the Clerk of the Court for the eventual disbursement to Plaintiffs. Defendants are warned that failure to comply with this Order will result in a penalty of \$1,000.00 per day late.
- (2) Also on or before September 15, 2008, Defendant are to file an informative motion explaining why, if they have the economic capacity to pay the outstanding balance of the Final Judgment as they represent, they do not obtain a loan that will allow Plaintiffs to receive the full payment of the Final Judgment (No. 490) and also allow Defendants more time to pay said amount with a smaller annual disbursement.”

For reasons not known to us the Mayor of Adjuntas, Honorable Jaime Barlucea believes that he doesn't have to comply with this Court's Order. To make matters even

worse he is publicly stating that since he was not the Mayor that dismissed plaintiffs the Court told him that he doesn't have to comply with the payment of this Judgment.

As we state in our September 8, 2008 motion (dkt. 577) we know that these allegations are not true but they are causing restlessness among plaintiffs. We have to understand that plaintiffs are humble people from Adjuntas to whom the word of the Mayor carries a lot of weight and they believe that the Mayor has in fact the authority to decide whether or not to comply with this Court's Order.

As this Honorable Court well knows the Judgment in the above entitled case was entered by stipulation, signed by the Mayor, Jaime Barlucea. His statement that he could comply with the full payment of the Judgment (Dkt. 489) on or before March 15, 2007 was what led us to accept the Mayor's settlement proposal that became, with the approval of this Honorable Court, the Final Judgment.

The time granted to defendants by this Honorable Court has elapsed without its compliance or even with a reaction for the record. As a matter of fact our last three motions have been unopposed by defendants. We respectfully request that pursuant to Rule 69 of the Federal Rules of Civil Procedure which provides that the procedure on execution, in proceeding supplementary to and in aid of a Judgment, and in proceeding on and in aid of execution shall be in accordance with the practice and procedure of the state in which the District Court is held. In accordance to State Rules of Civil Procedure 59.3(a) the Court can find a party in contempt of Court when a party fails to comply with an order of the Court. It is respectfully requested that the mayor of Adjuntas, Hon. Jaime Barlucea be found in contempt of Court and be severely sanctioned including that he be incarcerated until the order of this Honorable Court is fully complied with.

**WHEREFORE**, we respectfully requested that this motion BE GRANTED.

**I hereby certify** that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys on record.

**RESPECTFULLY SUBMITTED.**

In Aguadilla, Puerto Rico, this 16 day of September 2008.

*s/ Israel Roldán González*

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